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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,366	09/18/2001	Toru Yamada	P/126-209	8343

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EXAMINER

AN, SHAWN S

ART UNIT PAPER NUMBER

2621

DATE MAILED: 08/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/955,366

Applicant(s)

YAMADA, TORU

Examiner

Shawn S. An

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,4,7,8,10,11,14 and 16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3,4,8,10 and 11 is/are allowed.
- 6) ☒ Claim(s) 7,14 and 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. As per Applicant's instructions as filed on 6/20/06, claims 1 and 8 have been amended, and claims 2, 5-6, 9, 12-13, and 15 have been canceled.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 7 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Sanyo Electric Co LTD (JP 11243561 A).

Regarding claims 7 and 14, Sanyo Electric discloses a moving picture reproducing device/method, comprising:

a luminance decoding unit for decoding luminance component in the compressed moving picture, and a color difference decoding unit for decoding color difference component in the compressed moving picture, wherein the luminance decoding unit decodes the compressed moving picture in a resolution which is **lower** than a resolution used by the color-difference decoding unit (abs.).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sanyo Electric Co LTD (JP 11243561 A).

Regarding claim 16, Sanyo Electric discloses a moving picture reproducing device/method, comprising:

a luminance decoding unit for decoding luminance component in the compressed moving picture, and a color difference decoding unit for decoding color difference component in the compressed moving picture, wherein the luminance decoding unit decodes the compressed moving picture in a resolution which is **lower** than a resolution used by the color-difference decoding unit (abs.).

Sanyo Electric's reference does not appear to show a computer data signal embodied in a carrier wave and representing a sequence of instructions which, when executed by a processor, causes the processor to perform the above method.

However, a conventional software medium comprising a computer data signal embodied in a carrier wave and representing a sequence of instructions, and also utilized by a conventional computer processor such as P.C. is well known in the art.

Therefore, it would have been considered obvious to a person of ordinary skill in the relevant art employing a moving picture reproducing device/method as taught by Sanyo Electric to incorporate the conventionally well known software medium being utilized by a conventional computer processor such that a computer data signal embodied in a carrier wave and representing a sequence of instructions which, when executed by a processor, causes the processor to perform the above method as an efficient way to implement the invention in a software, as opposed to the hardware, thereby saving significant costs associated with manufacturing expensive hardware devices.

Allowable Subject Matter

6. **claims 1, 3-4, 8, and 10-11** are allowed as having incorporated the allowable subject matter as discussed in the last Office action as filed on 4/06/06.

Accordingly, if rejected claims are canceled, the application would be placed in a condition for allowance.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to *Shawn S. An* whose telephone number is 571-272-7324.
8. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**SHAWN AN
PRIMARY EXAMINER**

8/22/06